

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

UNITED STATES,	:	
	:	
v.	:	CASE NO.: 7:21-cr-7 (WLS)
	:	
BARRY KIYA DAISE.,	:	
	:	
Defendant.	:	
	:	

**ORDER**

Before the Court is the Defendant's Unopposed Motion to Continue, filed December 21, 2021. (Doc. 39.) The Defendant moves to continue trial in this case, which is currently scheduled to begin in February 2022, as additional time is required to review supplemental discovery, investigate potential defenses with the Defendant and engage in meaningful plea negotiations. (Doc. 39 at 2.) Defense Counsel previously requested supplemental discovery from the Government and the discovery received is voluminous. (*Id.*) Defense Counsel states additional time to review the supplemental discovery is needed, because before meaningful plea negotiations can take place a determination of possible defenses must be made. For the reasons below, the Defendant's Unopposed Motion to Continue (*Id.*) is **GRANTED**.

The Speedy Trial Act permits a district court to grant a continuance of trial so long as the court makes findings that the ends of justice served by ordering a continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Section 3161(h)(7)(B) provides several factors the Court must consider when granting a continuance. *United States v. Ammar*, 842 F.3d 1203, 1206 (11th Cir. 2016). Among those factors are the likelihood that the lack of a continuance will result in a miscarriage of justice and the

likelihood that failure to grant a continuance would deprive the defendant continuity of counsel or reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B).

The Court finds that the failure to grant a continuance here would likely result in a miscarriage of justice and deprive Defense Counsel of reasonable time necessary for effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(i) and (iv). Notably, Defense Counsel needs additional time to review voluminous supplemental discovery in order to engage in meaningful plea negotiations. (*Id.* at 2.)

Accordingly, the Defendant's Unopposed Motion for Continuance is **GRANTED**. The case is **CONTINUED** to the Valdosta trial term beginning May 2022, unless otherwise ordered by the Court. The Court **ORDERS** that the time from the date of this Order to the conclusion of the May 2022 Trial Term is **EXCLUDED FROM COMPUTATION** under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7).

**SO ORDERED**, this 3rd day of January 2022

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE**  
**UNITED STATES DISTRICT COURT**